

**AN ORDINANCE BY  
TRANSPORTATION COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE III,  
DIVISION 3, SECTION 22-110 OF THE CODE OF  
ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO  
AS TO CONFORM WITH THE REQUIREMENTS OF  
GEORGIA LAW REGARDING FIREARMS; TO REPEAL  
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in maintaining the public health, safety and welfare; and

**WHEREAS**, the City of Atlanta is authorized to, through its legislative powers, to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law; and

**WHEREAS**, Chapter 22, Article III, Division 3, Section 22-110 of the Code of Ordinances of the City of Atlanta currently provides that it is unlawful to carry a firearm to or while at a public gathering; and

**WHEREAS**, on June 8, 2010, Governor Sonny Perdue signed SB 308, which amended Section 16-11-127 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms by repealing Georgia's public gathering law; and

**WHEREAS**, the Georgia General Assembly declared in the Official Code of Georgia Annotated section 16-11-173, that "[n]o county or municipal corporation, by zoning or by ordinance, resolution, or other enactment, shall regulate in any manner gun shows; the possession, ownership, transport, carrying, transfer, sale, purchase, licensing or registration of firearms or components of firearms; firearms dealers; or dealers in firearms components;" and

**WHEREAS**, Section 16-11-125.1 defines weapon as knife or handgun; and

**WHEREAS**, the City of Atlanta has an interest in ensuring that it is in compliance with all provisions of state law; and

**WHEREAS**, the security and safety of passengers, employees and the general public are the most critical and important priorities of Hartsfield-Jackson Atlanta International Airport, ("the Airport"), especially since September 11, 2001; and

**WHEREAS**, since September 11, 2001 the Airport has been operating at a heightened threat level, (and at Threat Orange since August 10, 2006), on the system established by the Transportation Security Administration for identifying the level of threats on transportation in the United States of America.

**IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**Section1:** That Chapter 22, Article III, Division 3, Section 22-110 of the Code of Ordinances of the City of Atlanta be amended by deleting the existing language in its entirety and substituting therefore as follows:

**Sec. 22-110 Dangerous Weapons Prohibited.**

- (a) No person shall possess a dangerous weapon in any area of the airport. This includes, but is not limited to, all airport buildings, airport terminals, airfields, restricted parking lots, aircraft and vehicles using the airport, and any building that opens onto the airfield.
- (b) For purposes of this section, dangerous weapon includes, but is not limited to, any explosives, razor, slingshot, spring stick, metal knucks, blackjack, sand club, sandbag, bow and arrow, any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nun cacao shuriken, or fighting chain, any disc of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, any mechanism designed to emit an electronic, magnetic, or other type of charge that exceeds the equivalency of a five milliamp 60 hertz shock and used for the purpose of temporarily incapacitating a person, which may be known as a stun gun, any mechanism designed to emit an electronic magnetic, or other type of charge or shock through the use of a projectile and used for the purpose of temporarily incapacitating a person, which may be known as a taser.
- (c) The provisions of this section shall not apply to:
  - (1) Persons possessing a dangerous weapon that is properly encased for transshipment by air in accordance with the Transportation Security Administration (TSA) regulations;
  - (2) Federal, state, or local law enforcement officers required to carry dangerous weapons while in the performance of their official law enforcement duties;
  - (3) Persons who need the dangerous weapon while in the performance of their duties for legitimate airport purposes, such as armored security services personnel.
- (d) The provisions of this ordinance do not apply to firearms or knives, as those terms are defined under state law.

**Section 2:** Should it be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:**

**Caption:**

**Council Meeting Date:**

**Requesting Dept.:**

**FAC Confirmed by:**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).** On June 8, 2010, Governor Sonny Perdue repealed the state's 140 year old public gathering law. The Airport's current ordinance references the state's former public gathering law; therefore, it is not compliant with the current law. This amendment deletes the reference to the public gathering law and ensures the City is compliant with state law.

**2. Please provide background information regarding this legislation.**

In 2008, Section 22-110 was amended to conform with the state law as it relates to firearms and public gatherings. This was accomplished through Ordinance 08-O-1256. On June 8, 2010, Governor Sonny Perdue repealed Georgia's 140 year old public gathering law. This amendment ensures the City is compliant with state law.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (*Ex. Name and number*):

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

7. Method of Cost Recovery:

*Examples:*

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Kimberly Patrick 404-382-2196

**TRANSMITTAL FORM FOR LEGISLATION**

**TO: MAYOR'S OFFICE**

**Dept.'s Legislative Liaison:** Anita Williams

**Contact Number:** 404-530-6600

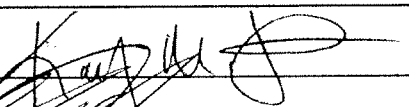
**Originating Department:** Aviation

**Committee(s) of Purview:** Transportation

**Chief of Staff Deadline:** 09/14/10

**Anticipated Committee Meeting Date(s):** 09/29/10

**Anticipated Full Council Date:** 10/04/10

**Legislative Counsel's Signature:** Kimberly Patrick 

**Commissioner Signature:** 

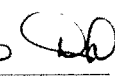
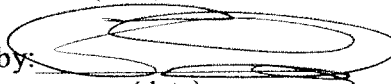
**CAPTION**

**AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE III, DIVISION 3, SECTION 22-110 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO CONFORM WITH THE REQUIREMENTS OF GEORGIA LAW REGARDING FIREARMS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**FINANCIAL IMPACT (if any)**

**Mayor's Staff Only**

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 9.13.10  Reviewed by:   
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)